

DATE FILED

JUN 22 2011

**BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS**

COMMISSION ON ETHICS

2011 JUN 24 A 11: 01

In re **GARY SIPLIN,**

Respondent.

)
DIVISION OF
ADMINISTRATIVE
HEARINGS
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)

Complaint No. 06-274

Final Order No. COE 11-060

**FINAL ORDER AND PUBLIC REPORT UPON
MANDATE OF THE DISTRICT COURT OF APPEAL**

This matter came before the Commission on Ethics, meeting in public session on June 17, 2011, upon the mandate of the District Court of Appeal, Fifth District, issued in GARY SIPLIN v. COMMISSION ON ETHICS, Case No. 5D09-240 (May 6, 2011). The Court's opinion in the case concludes that the Respondent's conduct did not rise to the legal definition of acting corruptly for purposes of violating Section 112.313(6), Florida Statutes.

Pursuant to the mandate, the Commission finds that the Respondent did not violate Section 112.313(6), Florida Statutes, and hereby dismisses the complaint.

ORDERED by the State of Florida Commission on Ethics meeting in public session on June 17, 2011.

June 22, 2011
Date Rendered

Roy Rogers
Roy Rogers
Chair

THIS ORDER CONSTITUTES FINAL AGENCY ACTION. ANY PARTY WHO IS ADVERSELY AFFECTED BY THIS ORDER HAS THE RIGHT TO SEEK JUDICIAL REVIEW UNDER SECTION 120.68, FLORIDA STATUTES, BY FILING A NOTICE OF ADMINISTRATIVE APPEAL PURSUANT TO RULE 9.110 FLORIDA RULES OF APPELLATE PROCEDURE, WITH THE CLERK OF THE COMMISSION ON ETHICS, 3600 MACLAY BOULEVARD SOUTH, SUITE 201, P.O. DRAWER 15709, TALLAHASSEE, FLORIDA 32317-5709; AND BY FILING A COPY OF THE NOTICE OF APPEAL ATTACHED TO WHICH IS A CONFORMED COPY OF THE ORDER DESIGNATED IN THE NOTICE OF APPEAL ACCOMPANIED BY THE APPLICABLE FILING FEES WITH THE APPROPRIATE DISTRICT COURT OF APPEAL. THE NOTICE OF ADMINISTRATIVE APPEAL MUST BE FILED WITHIN 30 DAYS OF THE DATE THIS ORDER IS RENDERED.

Copies furnished to:

Mr. Mark Herron, Attorney for Respondent
Ms. Dianne Guillemette, Commission Advocate
Mr. Marcus Robinson, Complainant
Honorable R. Bruce McKibben, Administrative Law Judge

RR/vad

06-274

M A N D A T E

from

2011 JUN 24 A 11:01

FILED
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**DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT**

DIVISION OF
ADMINISTRATIVE
HEARINGS

THIS CAUSE HAVING BEEN BROUGHT TO THIS COURT BY APPEAL OR BY PETITION, AND AFTER DUE CONSIDERATION THE COURT HAVING ISSUED ITS OPINION OR DECISION;

YOU ARE HEREBY COMMANDED THAT FURTHER PROCEEDINGS AS MAY BE REQUIRED BE HAD IN SAID CAUSE IN ACCORDANCE WITH THE RULING OF THIS COURT ATTACHED HERE TO AND INCORPORATED AS PART OF THIS ORDER, AND WITH THE RULES OF PROCEDURE AND LAWS OF THE STATE OF FLORIDA.

WITNESS THE HONORABLE DAVID A. MONACO, CHIEF JUDGE OF THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA, FIFTH DISTRICT, AND THE SEAL OF THE SAID COURT AT DAYTONA BEACH, FLORIDA ON THIS DAY.

DATE: May 6, 2011

FIFTH DCA CASE NO. 5D09-3638

COUNTY OF ORIGIN: Orange

TRIAL COURT CASE NO. COE 09-240, DOAH 08-3482EC (ADMINISTRATIVE)



Susan Wright
SUSAN WRIGHT
CLERK